

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
 April 6, 2010
 6:10 p.m.

Present: Mayor Eddy, Councillors Wheat, Schmitt, Haggart, Simons, Atfield, Powell, Chambers, Coleman and Gatward.

Regrets: Councillor Hodge

Staff: Glassford, Johnston, Bell, Rowen, Minshall, Hines, Gallagher and Carman.

Mayor Eddy in the Chair.

IN CAMERA

Moved by – Councillor Haggart
 Seconded by – Councillor Simons

That Council go In Camera with County Solicitor Andrew Wright in attendance to discuss litigation matters and personal information about an identifiable individual.

. Carried

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated April 6, 2010.

The In Camera meeting was adjourned at 6:51 p.m., and Council resumed in Open Session at 7:00 p.m. in the Council Chambers.

APPROVAL OF AGENDA

Moved by – Councillor Schmitt
 Seconded by – Councillor Wheat

That the Brant County Council agenda and addendum for the April 6, 2010 meeting be approved as circulated.

. Carried

PECUNIARY INTEREST

Councillor Chambers declared a conflict of interest with By-law Number 48-10.

DELEGATIONS/PRESENTATIONS/PETITIONS**Update from Brant Flyers**

Dennis Pybus, Brant Flyers, provided an update on the activities of the Brant Flyers over the past year, including presentations on their activities to other groups. He noted that although their hours of operation have been expanded, there has not been a significant increase in the number of flying hours. The use of noiseless electric power aircraft is becoming more prevalent. Only one noise complaint was received by the Club in the past year, and steps were taken very quickly to resolve the situation to the complainant's satisfaction. Mr. Pybus thanked Council for their time and efforts on behalf of the County's residents

Brant Cultural Centre

Ed Wakefield questioned various information provided by Ron Hansen in a presentation to Council on March 16 regarding the application for Federal funding for the Brant Cultural Centre building project. Mr. Wakefield suggested that Council withdraw all perceived support from the Brant Cultural Centre project, including the allocation of land and the \$220,000 included in the 2013 capital budget.

Cobblestone Festival

Richard Vaillancourt provided information on the ten years of operation of the Cobblestone Festival in Paris, noting the involvement of numerous volunteers and organizations in the presentation of approximately forty plays and musicals, some of which have been based on County history. He outlined steps taken by the Friends of Paris Culture since 2002 to provide a multi-purpose facility that would allow for exhibition and performance spaces, noting that the County allocated land for the Brant Cultural Centre in 2006. Mr. Vaillancourt provided a copy of a letter signed by Mayor Eddy in August 2009 supporting the Friends of Paris Culture application to the Federal Government for funding for the construction of the Brant Cultural Centre, noting that the application was turned down because the project was not shovel ready. He questioned why Council was not supportive of the 2010 funding application, suggesting that this lack of support will affect the Federal Government approval of this project. Mr. Vaillancourt also questioned the negative marketing against the Cultural Centre by proponents of the Old Town Hall and compared various aspects of both projects.

Economic Development Strategic Plan

George Schrijver, WCM Consulting, provided an overview of the proposed Economic Development Strategic Plan, noting that it contains multiple, adaptable strategies. The plan focuses on strategies for retention and expansion of existing businesses, attraction of new businesses and entrepreneurs, value-added agribusiness, tourism and working with local partners on workforce education and skills development. Mr. Schrijver outlined actions required to ensure that the strategic plan is implemented and successful, which involves viewing economic development as an investment and focusing on multiple strategic thrusts at the same time. It is important to leverage community resources and work with private sector champions to encourage economic development as a public-private partnership.

In response to a question, Mr. Schrijver advised that his firm would continue to work with the County's Economic Development staff during the transition period of implementation of this strategic plan.

Cost-Sharing Agreement – Dundas Street East Sanitary Sewer

James Hitchon, Waterous Holden Amey Hitchon, advised that representatives of Zitia Developments had been able to reach a satisfactory agreement with County staff on a cost-sharing agreement for the Dundas Street East sanitary sewer installation, with the exception of the time period for the County and Brant County Power to pay their share of the costs. Zitia initially proposed a three-year time period, but is willing to extend this to five years. He noted that Zitia will be paying the full estimated cost of \$716,000 to install the oversized sewer in return for the County and Brant County Power repaying a portion of these costs when they connect to the sewer line or within five years, whichever comes first. Mr. Hitchon noted that the \$115,000 oversizing costs are to be repaid by the County when the sewer line is extended further along Dundas Street East or to Curtis Avenue.

Brant County Council
April 6, 2010

Mr. Hitchon reviewed the estimated costs for the Primacare site, the Fire Administration Building and Brant County Power to connect to the sanitary sewer line. It was noted that either party has the right to withdraw from the agreement should the tendered price for the work be 20% over the estimated budget.

Economic Development Strategic Plan

Ella Haley, on behalf of Sustainable Brant, raised concerns with the proposed County Economic Development Strategic Plan, citing lack of information and definitions of Green Energy and the Green Hub and no reference to the need for environmental sustainability. She questioned the public input process, and requested that Council table the report at this time to give the public more time to provide input. She invited Council to attend a public forum about gasification and incineration on Thursday, April 8 at the Carnegie Building.

Councillor Chambers questioned Ms. Haley on the flyer for the April 8 public forum, noting that the statement that “Brant County is considering spending millions of tax \$\$ to build an incinerator” is not factual and is misleading to the public since the County is not involved in any way with the project. Ms. Haley responded that the statement was her opinion of the project, based on information she had.

MINUTES

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the minutes of the March 16, 2010 meeting of Brant County Council be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

CONSENT ITEMS

Moved by – Councillor Coleman
Seconded by – Councillor Wheat

That the following Consent Information reports be received:

1. Decisions from the March 25 Committee of Adjustment meeting.
2. Minutes of Police Services Board meeting – March 17, 2010.
3. Minutes of Social Services Committee – March 3, 2010;

And that the following Consent Communications be received:

1. AMO Member Communications:
 - a. Provincial Budget Maintains Child Care and Infrastructure Funding and increases Social Assistance costs.
 - b. 2008 Ontario Municipal Partnership Fund (OMPF) reconciliation.
 - c. Ontario Finance Minister Encourages Municipalities to Freeze Compensation.
 - d. Watch Files for March 18 and 25, 2010
2. Copy of letter to Hon. Kathleen Wynne, Minister of Transportation from Mayors of Brant, Brantford, Cambridge, Guelph, Kitchener, Region of Waterloo, Waterloo and Wellington re: Integrated Regional Transportation Initiative.
3. Mayor Dennis Travale – Update on SCOR Activities.

4. Ontario Good Roads Association – Information on Municipal Dataworks project.
5. Ministry of Municipal Affairs and Housing “Update” newsletter for March 2010.
6. Information on the 2010 Senior of the Year Award.
7. Ontario Municipal Board – Notice of Hearings:
 - a. Glenwood Homes, 20 Tolhurst Avenue – May 18, 2010.
 - b. 1590361 Ontario Inc., 22 Airport Road.
8. FCM – Report from March Board and Committee meetings held in Moncton.
9. Brant Haldimand Norfolk Catholic District School Board – 2008-09 Director’s Annual Report.
10. Media Release from Horizon Energy Solutions – Launch of “Ontario’s Solar Sunbelt” initiative.
11. Information on the 2010 Canada Post Community Literacy Awards program.
12. Laurier Brantford – Brochure on Laurier Association of Lifelong Learning courses.
13. Millard, Rouse & Rosebrugh - Business Views Special Report on the Ontario Budget – March 25, 2010.
14. Notification of first payment from FCM of \$13,442 towards the Green Municipal Fund Study Grant Agreement.
15. Thank you from the Brantford General Hospital Foundation for 2010 MRI pledge.
16. South West Economic Alliance:
 - a. Notification of 2010 Assembly scheduled for June 3 and 4, London.
 - b. Update on Ontario Budget proposals that affect SWEA
17. Minutes of Meetings:
 - a. Brant County Board of Health – January 20, 2010.
 - b. Committee of Adjustment – February 25, 2010.
 - c. Grand River Conservation Authority – February 26 and March 11, 2010.

. Carried

In response to a question regarding the OMB hearing for 22 Airport Road, the Director of Development Services advised that issues related to the site plan application for the property could not be all dealt with within the 30-day time period, and as such the proponent has appealed both the refusal of the zoning application and the site plan so that they can be heard by the Ontario Municipal Board at the same time.

PLANNING ADVISORY

Councillor Schmitt presented the following report from the March 17, 2010 meeting of the Planning Advisory Committee:

1. That application ZBA 8/10/MD from Cheryl Baskey and Robin Howard, applicants for 85 Fifth Concession Road, Part Lot 5, Concession 5, County of Brant in the geographic Township of Burford to extend the temporary Agricultural zoning (T-A-1-5-4-2009) on the subject lands to permit a garden suite for another three (3) years be approved.
2. That application ZBA 10/10/MD from Snodgrass Consulting Services, agent for Young Brothers Farms Ltd., applicant and owner of Part Lot 7, Concession 3, County of Brant in the geographic Township of Brantford, located on Robinson Road to rezone the subject lands from Agricultural (A) to Estate Residential Type One (ER1) be approved.

Brant County Council
April 6, 2010

3. That application ZBA 9/09/MD from Ken Gonyou, Taro Planning & Development Inc., agent for 1683115 Ontario Inc., applicant and owner of 331 Oakhill Drive, Part Lot 18, Concession 4, County of Brant in the geographic Township of Brantford to rezone a portion of the subject lands from Institutional (I) to Village Residential Type One (VR1) to permit the redevelopment of the subject lands for a residential plan of subdivision be approved conditional upon receiving written confirmation from the owner of the livestock operation to the east of the subject lands, agreeing to exempt the rezoning application from Minimum Distance Separation (MDS) requirements;

And that application PS 4/09/MD from Ken Gonyou, Taro Planning & Development Inc., agent for 1683115 Ontario Inc., applicant and owner of 331 Oakhill Drive, Part Lot 18, Concession 4, County of Brant in the geographic Township of Brantford for approval of a Draft Plan of Subdivision for fifteen (15) residential units be approved, subject to the following conditions:

- a. That at the time of registration, the owner/developer conveys Blocks 17 and 18 (0.3 metre reserve) to the satisfaction of the County of Brant, at the expense of the developer;
- b. That at the time of registration the owner/developer conveys Blocks 19, 20 and 21 (daylight triangles) to the County of Brant for road purposes, at the expense of the developer;
- c. That at the time of registration, the owner/developer conveys Block 16 (storm water management facility) to the satisfaction of the County of Brant, at the expense of the developer;
- d. That the owner/developer install trees not within the road allowance, at a minimum of 2 trees per lot frontage and 4 trees per corner lot, being 50 mm in caliper DBH, and of a native species as listed in the County's Recommended Plant Species List, to the satisfaction of the County;
- e. That prospective purchasers are advised that the County of Brant requires the installation of high nitrate removal systems for all dwelling units despite soil conditions. That at the time of issuance of a building permit, the builder/home owner be required to submit a design of the systems and a copy of the annual maintenance agreement between the landowner and the maintenance contractor. And that such agreement be embedded in the subdivision agreement;
- f. That the subdivision agreement include provisions that all easements and blocks required for utilities, servicing and drainage purposes, both internal and external to the development, including any easement required to convey storm water to a legal outlet, be granted and conveyed by the owner/developer to the County of Brant or the appropriate authority at no cost to the County and free from all encumbrances;
- g. That the road allowances indicated in the draft plan of subdivision be dedicated as public highways at no cost and free of all encumbrances;
- h. That the proposed Street 'A' be named to the satisfaction of the County of Brant. County policy directs that 75% of the names be selected from the list of names of War Veterans;
- i. That prior to the registration and final approval of this subdivision, the following requirements be completed to the satisfaction of the County of Brant:
 - i. Daylight triangles are required at the intersection of the internal street as shown on the proposed plan;
 - ii. The owner/developer is to install and pay for street lighting to be located along the proposed street as required; and
 - iii. Approval of the subdivision drawings shall be as per conditions included in the subdivision agreement and the County's Development and Engineering Standards.

- j. That the owner/developer of the lands enter into a subdivision agreement with the County of Brant and satisfy all requirements, financial and otherwise, concerning the provisions and installation of all municipal services both within and external to the subdivision and including but not limited to municipal fees, road works, street lights, underground services, storm water management, fencing, securing the works and all other matters to be done, that may be required and specified by a letter of credit to the satisfaction of the County of Brant;
- k. That with the written authorization of the County of Brant, the subdivision agreement between the owner/developer and the County of Brant be registered by the Owner/developer against the lands to which it applies. The County shall be entitled to receive whatever notice and documentation of such registration the County of Brant deems appropriate;
- l. That all road widenings and daylighting triangles shall be constructed to the satisfaction of the County of Brant, free and clear of all encumbrances at the expense of the owner/developer.
- m. That prior to the approval of the final plan, the owner/developer prepares, submits, and obtains approval from the County of Brant and the Grand River Conservation Authority for the following plans:
 - i. A detailed stormwater management report in accordance with the 2003 Ministry of the Environment Report entitled, "Stormwater Management Practices, Planning and Design Manual";
 - ii. An erosion and siltation control plan, in accordance with the Greater Golden Horseshoe Area Conservation Authorities' "Erosion and Sediment Control Guidelines for Urban Construction", dated December 2006;
 - iii. Detailed landscaping, lot grading and drainage plans for the storm water management block; and
 - iv. An application for permission pursuant to the Conservation Authority's Regulation of Development, Interference and Wetlands and Alteration to Shorelines and Watercourses, Ontario Regulation 150/06 as amended, if required.
- n. That the subdivision agreement between the owner/developer and the County of Brant contain provisions for the completion and maintenance of the works in accordance with the approved plans and reports noted above in Conditions 9 & 13.
- o. That the owner/developer enter into a subdivision agreement with the County of Brant prior to any signage being placed near the entrance to the subdivision. This agreement will describe the location, design and maintenance of the signage promoting this subdivision;
- p. The owner/developer submit and receive final approval of the servicing plans including the connection and supply to the municipal water and fire service to the satisfaction of the County of Brant;
- q. That the Subdivision Agreement referred to in Condition 10 include a requirement that the owner/developer shall ensure that no stockpiles of fill or any overland drainage patterns be altered on the north, east, west and south sides of the total holdings within 30 metres of the property boundary. The height of any stockpiles of fill shall not exceed 6 metres in height. Any stockpile with greater than a 2 to 1 slope shall be fenced and the areas posted as being dangerous;
- r. That the subdivision agreement referred to in Condition 10 include a requirement that the owner/developer is to maintain the site in a safe and satisfactory condition, free of debris, weeds and other such materials, until the plan is fully developed and the servicing is assumed by the County as contemplated by the subdivision agreement;

Brant County Council
April 6, 2010

- s. That the owner/developer be required to reconstruct all roads to the satisfaction of the County of Brant if installing underground services from Greens Road and Oakhill Drive. The cost of the rehabilitation of the roads and the installation of services shall be done at the owner/developer's expense;
- t. That prior to registration, the public utilities advise the County of Brant that they are satisfied with the servicing arrangements between the owner/developer and the public utility;
- u. That the owner/developer provide an overall plan showing the building envelopes and private sewage disposal bed envelopes for each lot prior to the issuance of any building permit. Such drawings shall be in compliance with the Ontario Building Code and to the satisfaction of the County of Brant;
- v. That the owner/developer give his consent to the County to have the requirements of Conditions 9 & 13 peer reviewed by a qualified hydrogeologist and/or engineer, all at the owner/developer's expense;
- w. That the subdivision agreement be registered against the lands to which it applies to the satisfaction of the County of Brant;
- x. That the owner/developer provide proof that the County of Brant park requirements have been satisfied in accordance with the provisions of the Planning Act. The value of the land will be determined by a certified appraisal at the expense of the owner/developer. Otherwise, the owner/developer may suffice this condition in a manner consistent with the Cash in Lieu of Parkland Dedication Policy, 2006;
- y. That the owner/developer provide a list showing all lot frontages and lot areas to assess compliance with the zoning by-law minimum frontage and area requirements. This list shall be prepared and certified by a qualified Ontario Land Surveyor;
- z. That the owner/developer provide to Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.
- aa. That the owner/developer is hereby advised that prior to commencing any work within the Plan, the owner/developer must confirm that sufficient wire-line communication / telecommunication infrastructure is currently available within the proposed development. In the event that such infrastructure is not available, the owner/developer is hereby advised that the owner/developer may be required to pay for the connection to and/or extension of the existing communication / telecommunication infrastructure, the owner/developer shall be required to demonstrate to the municipality that sufficient alternate communication / telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication / telecommunication services for emergency management services (i.e. 9-1-1 service);
- bb. That the owner/developer shall agree, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements;
- cc. That the development be developed on partial municipal services, including municipal water and urban storm water management practices; and, following receipt of notice from the County that there are no appeals of the draft approval of the development, the owner/developer shall negotiate with the County in the subdivision agreement financing arrangements which are satisfactory to the County and under which all costs associated with the design and construction of any required infrastructure are to be paid for by the owner/developer, and to the satisfaction of the County;

- dd. That the subdivision agreement require the owner/developer to deposit mylars and digital discs of the Plan of Subdivision, to the satisfaction of the County;
- ee. That prior to the final registration of all or any part of the development, the owner / developer's surveyor submit to the County horizontal co-ordinates of all boundary monuments for the approved development to the satisfaction of the County;
- ff. That the subdivision agreement include provisions for the completion and maintenance of works in accordance with the approved plans and reports set out in the schedule or in the conditions of draft approval for the development;
- gg. That the owner/developer have a qualified engineer investigate the need for acoustical shielding along Oakhill Drive and Greens Road and the recommendations contained in the Noise Study be implemented through the subdivision agreement. Should such shielding be necessary, it shall be built to the satisfaction of the County at the expense of the owner/developer. Any noise attenuation will be located on the lands being developed and not on municipal road allowances, and will be maintained by the owner/developer and subsequent owners. The subdivision agreement shall provide that each offer of purchase for all or any part of the development shall contain a caution to the purchaser that no alteration of the acoustical shield is permitted without the express written approval of the County and maintenance and replacement of any acoustical shielding shall be at the sole cost and responsibility of the owner/developer;
- hh. The subdivision agreement shall provide that each offer of purchase of all or any part of the Development shall contain a caution to the purchaser of the following:
 - i. No alteration of the drainage plan for the property or surrounding properties is permitted without the express written approval of the County;
 - ii. No buildings or structures, including, but not limited to a single detached dwelling, accessory structure, fence, swimming pool, septic tank or tile bed, shall be erected on or over any stormwater easement required due to this development; and
 - iii. The purchaser on occasion may be subject to noise, odour and dust of agricultural origin due to the proximity of an existing livestock operation;
- ii. That at any time prior to final approval of the development, the County may ask for additional information or materials that the County may consider it needs;
- jj. That the subdivision agreement include language to ensure that the owner/developer is responsible for the decommissioning of any boreholes drilled on the development as part of a hydrogeological investigation, or for any other subsurface investigation and for decommissioning any wells located on the development in accordance with the requirements of the Ontario Water Resources Act and Ministry of the Environment guidelines. And that any additional steps be taken as may be required in order to obtain and forward to the County a certificate of a licensed Professional Engineer certifying such decommissioning has been done on the development;
- kk. That County development charges and surcharges be payable in accordance with the applicable County Development Charges By-law, as amended from time to time;
- ll. That the subdivision agreement include the requirements of the County's Public Works Department and/or the County Engineer, in consultation with the GRCA, prior to the registration and final approval of all or any part of the development. To this end, the following matters are to be addressed:
 - i. The owner/developer shall ensure that any sight distance restraints on Greens Road and Oakhill Drive as shown on the plans for the development, are to be relocated or removed in order that a sight distance consistent with the TAC Manual is available in both directions;

- ii. The owner/developer is to pay for and install street lighting that is to be located along the proposed street, as required to the satisfaction of the County;
- iii. The owner/developer will be required to regrade the frontages of the subject lands to ensure that a sight distance consistent with the TAC Manual is provided and to allow for proper road drainage;
- iv. Relocation of any existing infrastructure, such as, but not limited to, hydro poles and Bell pedestals, shall be at the expense of the owner/developer;
- v. The owner/developer will be required to provide and install underground services in and to development and reconstruct the roads, to the satisfaction of the County, along Greens Road and Oakhill Drive as part of the servicing of the development, the cost of all of which shall be at the sole expense of the owner/developer;
- vi. The owner/developer shall be responsible for the relocation of any streetlights along Greens Road/Oakhill Drive that are deemed necessary by the County due to the development;
- vii. The owner/developer shall be required to undertake any road upgrades on Greens Road or Oakhill Drive that may be required by the County, including reconstruction and/or widening, all at the owner/developer's sole expense;
- viii. The Geotechnical Investigation shall encompass all of the development and be to the satisfaction of the County, in consultation with the GRCA;
- ix. The Hydrogeological Investigation shall encompass all of the development and shall be acceptable to the County, in consultation with the GRCA and the Ministry of the Environment;
- x. The owner/developer will provide to the County a water distribution system model, demonstrating that there is adequate potable water supply and pressure for fire protection to accommodate the development;
- xi. Approval of the drawings for the development shall be in accordance with this schedule and the draft conditions of approval for the development. Such requirement shall be included in the subdivision agreement and shall be consistent with the County's Development and Engineering Standards and good engineering practices; and
- xii. The owner/developer shall design and construct to the County standards:
 1. All on-site and off-site water supply and conveyance system facilities capable of servicing the development. In the subdivision agreement the owner/developer will agree to pay for and to post security to cover the cost of all maintenance and repairs of such facilities until the expiration of all maintenance periods provided for in the subdivision agreement and until such facilities are accepted and assumed by the County under the terms of the subdivision agreement. If necessary, as determined by the County, the County will install, operate, maintain some or all of the facilities at the owner/developer's cost and if this is necessary the owner/developer will enter into a contract and/or some other appropriate agreement with the County for this purpose until such facilities are accepted and assumed by the County under the terms of the subdivision agreement;
- mm. That earth moving, tree removal, grubbing activities and any other site work not be undertaken on the development until the owner/developer has entered into the subdivision agreement. No servicing of the development or any other work will be permitted without the execution and registration of the subdivision agreement which includes the provision for security and \$5.0 million public liability insurance and all required provincial and agency approvals. This excludes normal maintenance and

- those interim grading works which are specifically permitted by a pre-servicing agreement with the County. The interim works permitted by a pre-servicing agreement shall be limited to grading the development. In order for the owner/developer to undertake any interim grading work under such a pre-servicing agreement, the following items must be addressed and/or provided to the satisfaction of the County:
- i. Detailed drainage and grading plan for the development;
 - ii. Interim stormwater control plan for the development;
 - iii. Erosion and sediment control plan for the development;
 - iv. Public Works permit;
 - v. Interim road care plan for Greens Road;
 - vi. Haul road designation if materials are to be removed from the development;
 - vii. Hydrogeological and Geotechnical reports;
 - viii. Water Distribution System Model in support of this development;
 - ix. Dust control plan;
 - x. Securities to address and implement any necessary measures noted in the above plans and reports; and
 - xi. Liability insurance.
- nn. That at least 90 days prior to final approval of the development, the County of Brant is to be advised in writing by the owner/developer on how Conditions 1 through 39 have been satisfied.
- oo. That pursuant to Section 51 (32) of the Planning Act, draft plan approval, together with all conditions, shall hereby lapse in three years from the date of granting draft plan approval by the County of Brant, should final approval not be given.
- pp. That should the owner/developer wish to phase the subdivision, any phasing is to be to the satisfaction of the County of Brant.

NOTES TO DRAFT PLAN APPROVAL:

1. It is the owner/developer's responsibility to fulfill the conditions of draft plan approval and to ensure that the required clearance letters are forwarded to the County of Brant by the appropriate agencies.
 2. The final plan approved by the County of Brant must be registered within 30 days of final clearance by the County or the County may withdraw its approval pursuant to Section 51 (59) of the Planning Act.
 3. As noted as a condition, the County will require registration of the subdivision agreement against the subject lands, to which it applies, as notice to prospective purchasers.
4. That application ZBA 4/10/SS from Cindy Greatrex, applicant for 363 Paris Road, Part Lot 23, Concession 2, County of Brant in the geographic Township of Brantford to rezone these lands temporarily (for up to 10 years) to permit a garden suite dwelling unit in addition to the existing single detached dwelling be approved.
5. That application ZBA 7/10/SS from J.H. Cohoon Engineering, agent for Phillip DeMunck, applicant for 31 Henderson Road, Part Lots 2 & 3, Concession 4, Part of the Douglas Tract, County of Brant in the geographic Township of Brantford to rezone a portion of these lands to permit estate residential uses be approved.

Brant County Council
April 6, 2010

6. That application ZBA 5/10/SS from Waterous, Holden, Amey & Hitchon, agent for Providence Free Reformed Church, applicant for 170 Howell Road, Part Lot 7, Concession 3, County of Brant in the geographic Township of South Dumfries, to rezone a portion of the subject lands from Agricultural (A) to Institutional (I) to permit a church be approved.

Moved by – Councillor Schmitt

Seconded by – Councillor Coleman

That the report of the Planning Advisory Committee from its March 17, 2010 meeting be adopted.

.Carried

EMERGENCY SERVICES

Councillor Wheat presented the following report from the March 23, 2010 meeting of the Emergency Services Committee:

1. That the sole ownership of Tranquility Ambulance Station by the City of Brantford be approved by Brant County Council;

That the County of Brant not be required to contribute \$295,697 to fund the capital construction costs for Tranquility Ambulance Station;

That the lease agreement between the County of Brant and the City of Brantford for Tranquility Ambulance Station be approved by the County of Brant;

And that the rental costs of \$4,347 per month, of which the unsubsidized County of Brant portion is \$1,213 and the City of Brantford unsubsidized portion is \$3,134, be approved.

2. That consideration be given to authorizing the ambulance service to utilize surplus cross border billing funds for the purpose of service and equipment improvements;

And that staff be directed to provide a financial review of these accounts from 2001.

3. That Michael MacCormack be appointed as a Captain at Station No. 1 Paris.

4. That Robert Valade be appointed as Deputy District Chief at Station No. 2 (Airport);

And that Dean Featherston be appointed as Deputy District Chief at Station No. 6 (Onondaga).

5. That the Council of the Corporation of the County of Brant proclaim May 2 – 8, 2010 as Emergency Preparedness Week and encourage all citizens to participate in educational activities on emergency preparedness.

6. That the County of Brant approve the proposed graduated remuneration scale for recruit firefighters starting after the date of January 1, 2010 and for all proposed remuneration for training courses offered either locally or outside of the County of Brant, as outlined in report EMS-10-05.

7. That the provisions of the purchasing policy be waived and the Fire Chief be authorized to purchase a used Custom Cab Pumper for Cainsville Station 4 as prioritized through capital budget submissions for 2010.

Moved by – Councillor Wheat
Seconded by – Councillor Powell

That the report of the Emergency Services Committee from its March 23, 2010 meeting be adopted.

.Carried

PARKS AND RECREATION

Councillor Wheat presented the following report from the March 23, 2010 meeting of the Parks and Recreation Committee:

1. That the Mayor and the Chair of the Parks and Recreation Committee draft correspondence to be sent to the St. George Citizens' Association outlining responses to their concerns regarding the relocation of the Customer Services Office to the South Dumfries Community Centre.
2. That accessibility upgrades be included in the scope of work for the reconstruction of the outdoor Paris Community Pool for 2010.

Moved by – Councillor Wheat
Seconded by – Councillor Atfield

That the report of the Parks and Recreation Committee from its March 23, 2010 meeting be adopted.

.Carried

BURFORD COMMUNITY CENTRE ADDITION

Councillor Chambers presented the following report from the April 1, 2010 meeting of the Burford Community Centre Addition Committee:

1. That the County of Brant request a quotation from the general contractor for the Burford Community Centre Addition (Lanca Construction) for the inclusion of a limited use / limited access lift as a notice of change order;

And that staff be directed to examine funding sources for this inclusion.

In response to questions, Councillor Chambers advised that the inclusion of this access lift can be accommodated within the footprint for the renovations to the Burford Community Centre. Once an accurate costing has been determined, it will be brought back to the Committee for further consideration.

Moved by – Councillor Chambers
Seconded by – Councillor Wheat

That the report of the Burford Community Centre Addition Committee from its April 1, 2010 meeting be adopted.

.Carried

Brant County Council
April 6, 2010

Councillor Wheat left the meeting at 8:45 p.m.

STAFF REPORTS

Economic Development Strategic Plan – report from Eric Rowen, Manager of Economic Development & Tourism

Mayor Eddy noted that a request had been received to table the approval of the report to allow for more public input.

Moved by – Councillor Schmitt
Seconded by – Councillor Powell

That Council adopt in principle the Economic Development Strategic Plan Main Report dated March 2010;

And that Council direct staff to provide a follow-up report on next steps towards implementation of the plan.

.Carried

It was agreed that Mayor Eddy would send a letter to all the members of the Economic Development Strategic Plan Steering Committee to thank and congratulate them for their involvement in the project.

Proposed Zitia Cost Sharing Agreement for Sanitary Sewer for Dundas Street East – report from Fran Bell, Director of Corporate Services

Moved by – Councillor Powell
Seconded by – Councillor Chambers

That the Mayor and the Clerk be authorized to sign the March 31, 2010 Third Draft agreement with Zitia Developments Inc. and Brant County Power Inc. for the installation of sanitary sewer facilities along Dundas Street East, Paris, as amended to change the wording in Clause 13(ii) from “three (3)” to “five (5)” years.

.Carried

CORRESPONDENCE

1. Request from Grand River Community Health Centre to proclaim April 30 as Community Health Day

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

Whereas health is embraced by the community to mean more than the absence of illness, it is seen as the complete state of physical, mental, spiritual and social wellbeing;

And whereas to achieve better health for all, Ontario’s health providers, health agencies, Local Health Integration Networks and the provincial government must break down barriers that stand in the way of so many populations and communities enjoying good health or accessing the health services they need;

And whereas there is the need to recognize that a community is made up of many unique differences and that health equity means better health for all;

And whereas the Grand River Community Health Centre would like to annually celebrate the last Friday in April as "Community Health Day" as they and their partners strive to create healthy individuals, healthy communities and healthy futures;

Now therefore be it resolved that the Council of the Corporation of the County of Brant does hereby proclaim the last Friday in April as "Community Health Day" in the County of Brant.

. Carried

2. Grand River Conservation Authority – Notice of Prescribed Burns in the Town of Paris and at Apps Mill – received as information.

QUESTIONS

1. Councillor Powell noted that Grand River Poultry has closed its business on Grand River Street North and the building is in the process of being demolished. Since this business was a large water user, he questioned what happens to their water allocation, and the impact this may have on the Bethel Road water facility. The Director of Development Services agreed to provide an answer to this question at the April 12 Corporate Development Committee meeting.
2. Councillor Haggart requested that a Green Energy Accord meeting be arranged as soon as possible.

RESOLUTIONS

Brant Cultural Centre

Moved by – Councillor Simons
Seconded by – Councillor Gatward

Whereas Council gave approval on September 5, 2006 to the request from the Friends of Paris Culture to allocate lands for the Brant Cultural Centre;

And whereas at that time, Council was of the opinion that the project would proceed in an expeditious manner;

And whereas at the time Council was clear that their sole commitment to the project would be the contribution of the land and that the structure would be totally owned and operated by a non-profit group;

And whereas 3 1/2 years have passed and to date no significant funding from the Federal, Provincial or Local governments is in place;

Brant County Council
April 6, 2010

- Therefore be it resolved that the Brant Cultural Centre Board of Directors be advised:
1. That a deadline has been established which will be November 30, 2010, and if the funding from the above sources is not completed and in place by this date the total land dedication by the County of Brant will be void.
 2. Should the project not meet this deadline, staff be directed to remove the \$220,000 from the County capital forecast.
 3. In order to demonstrate compliance with this resolution, the Brant Cultural Centre Board of Directors must produce an audited financial statement from a recognized accounting firm confirming all funding requirements for the capital construction have been met including letters of approval for grant applications from all senior government sources.

. No Vote – Tabling Motion Follows

Moved by – Councillor Haggart
Seconded by – Councillor Coleman

That the resolution regarding the Brant Cultural Centre be tabled for two Council meeting cycles in order to obtain a legal opinion regarding the actions proposed by the County.

. Carried

OTHER BUSINESS

1. Invitation to Paris Agricultural Society's Annual Spring Social Evening to be held on Friday, April 16.
2. Invitation to Composting Demonstration at Amani Acres Limited, 160 Jerseyville Road on April 15.
3. Invitation to Why Not City Missions fundraiser for the Paris Youth Centre to be held on Tuesday, April 27.
4. Invitation to Earth Week Speaker Series being sponsored by the Brant Community Foundation.
5. Invitation to Bite of Brant program being held at Burford Fairgrounds on April 7 and 8
6. Notice of Community Information Session re: the Sandplains Community Development Fund to be held on Wednesday, April 14 at 9:30 a.m. at the County Fire Administration Building, 61 Dundas Street East, Paris.

CHANGE IN ORDER OF AGENDA

Moved by – Councillor Haggart
Seconded by – Councillor Schmitt

That the agenda for this meeting be changed to consider By-law Number 54-10, to be followed by the presentation of a Press Release.

. Carried

BY-LAW NUMBER 54-10

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That By-law Number 54-10 to authorize an Agreement of Purchase and Sale for the purchase of approximately 171 acres of land, being Part of Lots 9 and 10, Concession 2, geographic Township of Brantford, located at Bethel Road and Rest Acres Road be now read a first time.

. Carried

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That By-law Number 54-10 to authorize an Agreement of Purchase and Sale for the purchase of approximately 171 acres of land, being Part of Lots 9 and 10, Concession 2, geographic Township of Brantford, located at Bethel Road and Rest Acres Road be now read a second time and all clauses and preamble be adopted.

. Carried

In response to questions, the C.A.O. advised that the funds to purchase this property will be funded from a reserve established with the proceeds from the sale of another significant asset. The Director of Development Services advised that a report will be presented to Council at a future meeting outlining the costs of servicing, noting that some of the costs will be funded through development charges. He advised that he has already received inquiries from companies interested in purchasing land for industrial development.

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That By-law Number 54-10 to authorize an Agreement of Purchase and Sale for the purchase of approximately 171 acres of land, being Part of Lots 9 and 10, Concession 2, geographic Township of Brantford, located at Bethel Road and Rest Acres Road be now read a third time, passed, signed and sealed.

. Carried

PRESS RELEASE – COUNTY ACQUISITION OF INDUSTRIAL LAND

Mayor Eddy read a press release announcing the acquisition of 171 acres of industrially designated land on the south-west corner of Rest Acres Road and Highway 403. The purchase of this land is a proactive strategic move to create balanced economic growth and build on the County Economic Development strategy. In addition, this acquisition will encourage employment opportunities and improve the County's tax assessment base.

IN CAMERA

Moved by – Councillor Simons
Seconded by – Councillor Schmitt

That Council go in camera to discuss a property negotiations matter acquisition.

. Carried

Brant County Council
April 6, 2010

In Camera at 9:50 p.m.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated April 6, 2010.

Open Session at 10:00 p.m., on motion of Councillors Coleman and Schmitt.

BY-LAWS

Councillor Chambers declared a conflict of interest with By-law Number 48-10 and left the meeting.

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the following by-laws be now read a first time:

- By-law Number 47-10 to authorize a Gift Agreement with BGI Graphics Inc. for the Twin Pad Complex Capital Campaign.
- By-law Number 48-10 to authorize a Gift Agreement with Brant Mutual Insurance Company for the Twin Pad Complex Capital Campaign.
- By-law Number 49-10 to authorize a Gift Agreement with Cobblestone Public House for the Twin Pad Complex Capital Campaign.
- By-law Number 50-10 to authorize a Gift Agreement with John and Bev Weaver for the Twin Pad Complex Capital Campaign.
- By-law Number 51-10 to amend Business Licensing By-law Number 50-06.
- By-law Number 52-10 to amend Taxi Licensing By-law Number 53-09.
- By-law Number 53-10 to authorize an Agreement between Her Majesty, the Queen in Right of Ontario, as represented by the Minister of Community Safety and Correctional Services, the County of Brant and the County of Brant Police Services Board for funding under the Safer Communities – 1,000 Officers Partnership Program.
- By-law Number 54-10 **(dealt with earlier in the meeting)**.
- By-law Number 55-10 to authorize a Lease Agreement with the City of Brantford for the Tranquility Ambulance Station at 135/137 Francis Street, Brantford.
- By-law Number 56-10 to authorize an agreement with GENIVAR Consultants Limited Partnership for professional consulting services for the Engineering Peer Review of North Paris and Nith Peninsula Area Studies and preparation of a Paris Master Servicing Plan.
- By-law Number 57-10 to authorize a Letter of Agreement with Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation, for funding under the Ontario Transportation Demand Management Municipal Grant Program.
- By-law Number 58-10 to authorize an Encroachment Agreement with Andrew Christopher Tarr and Tracy Lynn Tarr for lands at 8 Riverview Terrace, Paris.
- By-law Number 59-10 to establish Part of Miscellaneous Gore Fronting Lot 28, Concession 1, geographic Township of South Dumfries, former Town of Paris, as road lands and thereby improving Willow Street and Dundas Street East.
- By-law Number 60-10 to authorize a Development Agreement with Daniel George White and Kimberley Louise White for property located in Part of Lot 10, Concession 1, geographic Township of Brantford (Cedar Street).
- By-law Number 61-10 to amend By-law Number 110-01 for property located in Part of Lots 2 and 3, Part of Douglas Tract, Concession 4, geographic Township of Brantford to permit estate residential land uses (DeMunck, 31 Henderson Road).

- By-law Number 62-10 to amend By-law Number 110-01 for property located in part of Lot 6, Concession 3, geographic Township of Brantford to permit Estate Residential uses (Young Bros. Farms, Robinson Road).
- By-law Number 63-10 to amend By-law Number 110-01 for property located in Part of Lot 7, Concession 3, geographic Township of South Dumfries to permit institutional uses and allow a building height not to exceed 13.0 metres (Providence Free Reformed Church, 170 Howell Road).
- By-law Number 64-10 to amend By-law Number 110-01 for property located in Part of Lot 10, Concession 1, geographic Town of Paris to change the holding provision to permit residential development on full municipal services (Blackman, 46 Cedar Street).
- By-law Number 65-10 to amend By-law Number 110-01 for property located in Part of Lot 5, Concession 5, geographic Township of Burford to permit an existing garden suite for an additional three years (Baskey/Howard, 85 Fifth Concession Road).
- By-law Number 66-10 to amend By-law Number 110-01 for property located in Part of Lot 23, Concession 2, geographic Township of Brantford to allow a garden suite (Greatrex Dery, 363 Paris Road).
- By-law Number 67-10 to authorize execution of a Garden Suite Development Agreement with Matthew Greatrex Dery regarding property located at 363 Paris Road.
- By-law Number 68-10 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the following by-laws be now read a second time and all clauses and preamble be adopted:

- By-law Number 47-10 to authorize a Gift Agreement with BGI Graphics Inc. for the Twin Pad Complex Capital Campaign.
- By-law Number 48-10 to authorize a Gift Agreement with Brant Mutual Insurance Company for the Twin Pad Complex Capital Campaign.
- By-law Number 49-10 to authorize a Gift Agreement with Cobblestone Public House for the Twin Pad Complex Capital Campaign.
- By-law Number 50-10 to authorize a Gift Agreement with John and Bev Weaver for the Twin Pad Complex Capital Campaign.
- By-law Number 51-10 to amend Business Licensing By-law Number 50-06.
- By-law Number 52-10 to amend Taxi Licensing By-law Number 53-09.
- By-law Number 53-10 to authorize an Agreement between Her Majesty, the Queen in Right of Ontario, as represented by the Minister of Community Safety and Correctional Services, the County of Brant and the County of Brant Police Services Board for funding under the Safer Communities – 1,000 Officers Partnership Program.
- By-law Number 55-10 to authorize a Lease Agreement with the City of Brantford for the Tranquility Ambulance Station at 135/137 Francis Street, Brantford.
- By-law Number 56-10 to authorize an agreement with GENIVAR Consultants Limited Partnership for professional consulting services for the Engineering Peer Review of North Paris and Nith Peninsula Area Studies and preparation of a Paris Master Servicing Plan.
- By-law Number 57-10 to authorize a Letter of Agreement with Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation, for funding under the Ontario Transportation Demand Management Municipal Grant Program.
- By-law Number 58-10 to authorize an Encroachment Agreement with Andrew Christopher Tarr and Tracy Lynn Tarr for lands at 8 Riverview Terrace, Paris.

Brant County Council
April 6, 2010

- By-law Number 59-10 to establish Part of Miscellaneous Gore Fronting Lot 28, Concession 1, geographic Township of South Dumfries, former Town of Paris, as road lands and thereby improving Willow Street and Dundas Street East.
- By-law Number 60-10 to authorize a Development Agreement with Daniel George White and Kimberley Louise White for property located in Part of Lot 10, Concession 1, geographic Township of Brantford (Cedar Street).
- By-law Number 61-10 to amend By-law Number 110-01 for property located in Part of Lots 2 and 3, Part of Douglas Tract, Concession 4, geographic Township of Brantford to permit estate residential land uses (DeMunck, 31 Henderson Road).
- By-law Number 62-10 to amend By-law Number 110-01 for property located in part of Lot 6, Concession 3, geographic Township of Brantford to permit Estate Residential uses (Young Bros. Farms, Robinson Road).
- By-law Number 63-10 to amend By-law Number 110-01 for property located in Part of Lot 7, Concession 3, geographic Township of South Dumfries to permit institutional uses and allow a building height not to exceed 13.0 metres (Providence Free Reformed Church, 170 Howell Road).
- By-law Number 64-10 to amend By-law Number 110-01 for property located in Part of Lot 10, Concession 1, geographic Town of Paris to change the holding provision to permit residential development on full municipal services (Blackman, 46 Cedar Street).
- By-law Number 65-10 to amend By-law Number 110-01 for property located in Part of Lot 5, Concession 5, geographic Township of Burford to permit an existing garden suite for an additional three years (Baskey/Howard, 85 Fifth Concession Road).
- By-law Number 66-10 to amend By-law Number 110-01 for property located in Part of Lot 23, Concession 2, geographic Township of Brantford to allow a garden suite (Greatrex Dery, 363 Paris Road).
- By-law Number 67-10 to authorize execution of a Garden Suite Development Agreement with Matthew Greatrex Dery regarding property located at 363 Paris Road.
- By-law Number 68-10 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Powell

Seconded by – Councillor Atfield

That the following by-laws be now read a third time, passed, signed and sealed:

- By-law Number 47-10 to authorize a Gift Agreement with BGI Graphics Inc. for the Twin Pad Complex Capital Campaign.
- By-law Number 48-10 to authorize a Gift Agreement with Brant Mutual Insurance Company for the Twin Pad Complex Capital Campaign.
- By-law Number 49-10 to authorize a Gift Agreement with Cobblestone Public House for the Twin Pad Complex Capital Campaign.
- By-law Number 50-10 to authorize a Gift Agreement with John and Bev Weaver for the Twin Pad Complex Capital Campaign.
- By-law Number 51-10 to amend Business Licensing By-law Number 50-06.
- By-law Number 52-10 to amend Taxi Licensing By-law Number 53-09.
- By-law Number 53-10 to authorize an Agreement between Her Majesty, the Queen in Right of Ontario, as represented by the Minister of Community Safety and Correctional Services, the County of Brant and the County of Brant Police Services Board for funding under the Safer Communities – 1,000 Officers Partnership Program.
- By-law Number 55-10 to authorize a Lease Agreement with the City of Brantford for the Tranquility Ambulance Station at 135/137 Francis Street, Brantford.

- By-law Number 56-10 to authorize an agreement with GENIVAR Consultants Limited Partnership for professional consulting services for the Engineering Peer Review of North Paris and Nith Peninsula Area Studies and preparation of a Paris Master Servicing Plan.
- By-law Number 57-10 to authorize a Letter of Agreement with Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation, for funding under the Ontario Transportation Demand Management Municipal Grant Program.
- By-law Number 58-10 to authorize an Encroachment Agreement with Andrew Christopher Tarr and Tracy Lynn Tarr for lands at 8 Riverview Terrace, Paris.
- By-law Number 59-10 to establish Part of Miscellaneous Gore Fronting Lot 28, Concession 1, geographic Township of South Dumfries, former Town of Paris, as road lands and thereby improving Willow Street and Dundas Street East.
- By-law Number 60-10 to authorize a Development Agreement with Daniel George White and Kimberley Louise White for property located in Part of Lot 10, Concession 1, geographic Township of Brantford (Cedar Street).
- By-law Number 61-10 to amend By-law Number 110-01 for property located in Part of Lots 2 and 3, Part of Douglas Tract, Concession 4, geographic Township of Brantford to permit estate residential land uses (DeMunck, 31 Henderson Road).
- By-law Number 62-10 to amend By-law Number 110-01 for property located in part of Lot 6, Concession 3, geographic Township of Brantford to permit Estate Residential uses (Young Bros. Farms, Robinson Road).
- By-law Number 63-10 to amend By-law Number 110-01 for property located in Part of Lot 7, Concession 3, geographic Township of South Dumfries to permit institutional uses and allow a building height not to exceed 13.0 metres (Providence Free Reformed Church, 170 Howell Road).
- By-law Number 64-10 to amend By-law Number 110-01 for property located in Part of Lot 10, Concession 1, geographic Town of Paris to change the holding provision to permit residential development on full municipal services (Blackman, 46 Cedar Street).
- By-law Number 65-10 to amend By-law Number 110-01 for property located in Part of Lot 5, Concession 5, geographic Township of Burford to permit an existing garden suite for an additional three years (Baskey/Howard, 85 Fifth Concession Road).
- By-law Number 66-10 to amend By-law Number 110-01 for property located in Part of Lot 23, Concession 2, geographic Township of Brantford to allow a garden suite (Greatrex Dery, 363 Paris Road).
- By-law Number 67-10 to authorize execution of a Garden Suite Development Agreement with Matthew Greatrex Dery regarding property located at 363 Paris Road.
- By-law Number 68-10 to confirm the proceedings of Council.

. Carried

NEXT MEETING

The meeting adjourned at 9:10 p.m. to meet again in special In Camera Session on **Wednesday, April 7, 2010 at 6:30 p.m. at the Fire Administration Building** regarding the C.A.O. Recruitment and on **Tuesday, April 20, 2010 at 7:00 p.m.** in Regular Session in the Council Chambers. Councillor Coleman noted his concern with the C.A.O. interviews that are scheduled for Saturday, April 17, as this date will conflict with crop planting activities.

Mayor

Date Minutes Approved

Clerk